

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

In Re:

David Vincent Bernardo,
Debtor

Case No. B-08-80681 C-7D

ORDER ALLOWING TRUSTEE'S OBJECTION TO
DEBTOR'S EXEMPTIONS

THIS CAUSE, coming on for hearing on September 18, 2008, upon the Trustee's Objection to Debtor's Exemptions, filed on July 4, 2008,

AND IT APPEARING TO THE COURT THAT the Clerk of the U.S. Bankruptcy Court gave Notice of the Objection to Debtor's Exemptions on July 8, 2008, and the Debtor filed an Objection to Trustee's Objection to Debtor's Exemptions by the deadline of July 20, 2008,

AND IT FURTHER APPEARING TO THE COURT THAT the Debtor has claimed as exempt real property owned as tenants by the entirety, located at 8703 Calumet Farms, and Lot 25 Victoria Lake, Waxhaw, North Carolina,

AND IT FURTHER APPEARING TO THE COURT THAT the entireties property is subject to joint debt in the amount of approximately \$600,000.00, is available for satisfaction of joint debt, and is therefore exempt only to the extent of any value remaining after payment of joint debt, and that it is in the best interest of the estate that the Trustee's objection be allowed,

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT the objection filed herein by the Trustee to the Debtor's exemptions be and the same hereby is allowed, and that the Debtor be required to surrender the above-described property, or its equivalent value to the Trustee for satisfaction of joint debt.

SERVICE LIST

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All Parties of Interest